



CH2M HILL  
One Dayton Centre  
Suite 1100  
One South Main Street  
Dayton, OH 45402  
Tel 937.228.3180  
Fax 937.228.7572

100.58.24D

December 22, 2004

181174

Mr. Donald Heller  
USEPA Region 5  
DW-8J  
77 West Jackson Blvd.  
Chicago, IL 60604-3507

Subject: EMD Chemicals Inc. Norwood Facility Zoning Designation and Applicable Ordinance

Dear Don:

On behalf of EMD Chemicals Inc. (EMD), CH2M HILL is submitting a copy of the current zoning designation that pertains to the Facility and the portion of the zoning ordinance that pertains to the zoning designation. This submittal completes EMD's requirements under Section V(B)(2) of the Voluntary Corrective Action Agreement, executed on September 23, 2004. If there is a change in land usage and/or subsequent zoning at the Facility or any portion of the Facility, EMD will submit a copy of the change to you.

Please call me at (937) 228-3180 ext. 233 if you have any further questions.

Sincerely,

CH2M HILL

Mark Altic  
Project Manager  
Attachment

Katherine Arnett  
VCAA Project Manager

CC: Paul Nelson - EMD  
Kevin Kallini - TPF

**PROFESSIONAL DESIGN ASSOCIATES, INC**  
**3627 WEST FORK RD.; CINCINNATI, OHIO 45247 (513) 661-2565**

**F A X C O V E R S H E E T**

DATE: 12-17-04

TO: DALE BLOEMKER  
EMD CHEMICALS, INC.

PHONE: 587-5198

FAX: 631-0746

FROM: ERIC HADDOX

PHONE: (513) 661-2565

FAX: (513) 661-0420

PROFESSIONAL DESIGN ASSOCIATES, INC

RE: HIGHLAND AVENUE SITE - SOUTH SIDE

***Message:***

Dale,

The zoning for the site on the south side of Highland Avenue is as follows:

Cincinnati - 'MG' Manufacturing General

Norwood - 'M-2' Heavy Manufacturing

Attached are excerpts from the Cincinnati and Norwood zoning codes. The Cincinnati Zoning Code specifies all permitted uses for all manufacturing zones in a tabular form. The Norwood Zoning Code specifies permitted uses in 'M-2' and allows 'M-1', 'O', 'GBD', 'CBD' and 'NBD' uses, except residential. Both codes refer to general standards and regulations which are spread out in various sections of the code where specific requirements often depend on the specific intended use.

Please let me know if this information will be sufficient or if you would like more information on the general standards and regulations.

Thanks,  
Eric

Number of pages *including* cover sheet: 19

**IF YOU DO NOT RECEIVE THE ENTIRE FAX, PLEASE CALL (513) 661-2565**

# CINCINNATI ZONING CODE

## Chapter 1413. Manufacturing Districts.

§ 1413-01.	PURPOSES.....	124
§ 1413-05.	LAND USE REGULATIONS.....	126
§ 1413-07.	DEVELOPMENT REGULATIONS.....	129
§ 1413-09.	DRIVEWAY RESTRICTIONS.....	130
§ 1413-11.	TRUCK DOCKS; LOADING AND SERVICE AREAS.....	130

### § 1413-01. Purposes.

The general purposes of manufacturing districts are to:

- (a) Promote and preserve manufacturing areas as significant employment generators.
- (b) Facilitate the necessary infrastructure to accommodate a wide variety of transportation, manufacturing and technology uses.
- (c) Accommodate existing traditional industries, while anticipating new technologies and business service uses.
- (d) Preserve appropriate location of industries that may have the potential to generate off-site impacts, while providing compatibility in use and form.
- (e) Establish appropriate standards for reviewing proposals for new development and redevelopment, where appropriate, in manufacturing areas.
- (f) Ensure the provision of services and facilities needed to facilitate planned employment densities.

### § 1413-03. Specific Purposes of the Manufacturing Subdistricts.

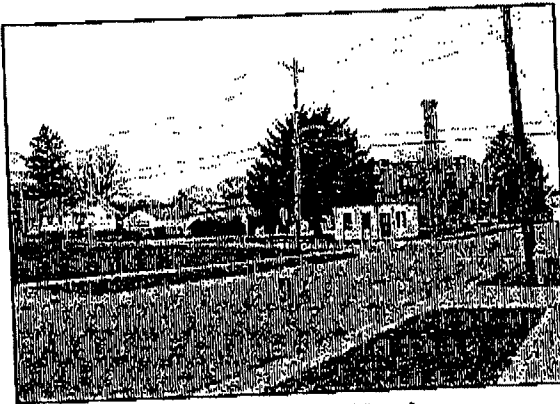
The specific purposes of the manufacturing subdistricts are:

- (a) **ML Manufacturing Limited.** To create, preserve and enhance areas that are appropriate for a range of low-impact manufacturing activities and supporting commercial uses. High-impact manufacturing uses may be permitted, provided they meet specific performance standards and are buffered from residential areas. Loft dwelling units may be permitted in this district and any commercial uses should be located along major transportation corridors.
- (b) **MG Manufacturing General.** To create, preserve and enhance areas that are appropriate for a wide variety of supporting and related

commercial and manufacturing establishments that may have the potential to generate off-site impacts. Future development will accommodate heavy industrial and manufacturing uses, transportation facilities, warehousing and distribution and similar and related supporting uses. These uses typically require sites with good transportation access. Uses that may inhibit industrial development are prohibited.

- (c) **ME Manufacturing Exclusive.** To recognize and preserve areas that are intended exclusively for the location of manufacturing establishments. Future development will accommodate heavy industrial and manufacturing uses. These uses typically require sites with good transportation access. Uses that may inhibit or compete with industrial development are prohibited.

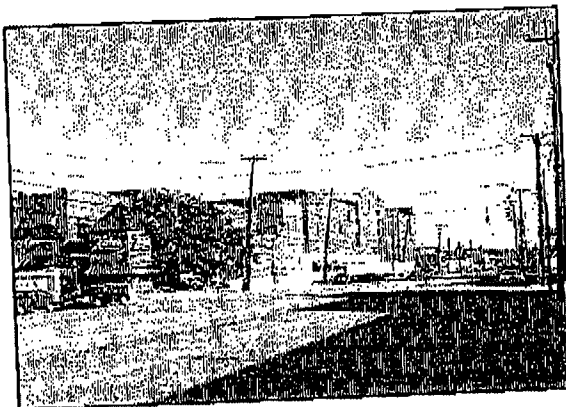
**FIGURES 1413-03-A-E:** The following illustrations represent examples of the Manufacturing Districts in this chapter.



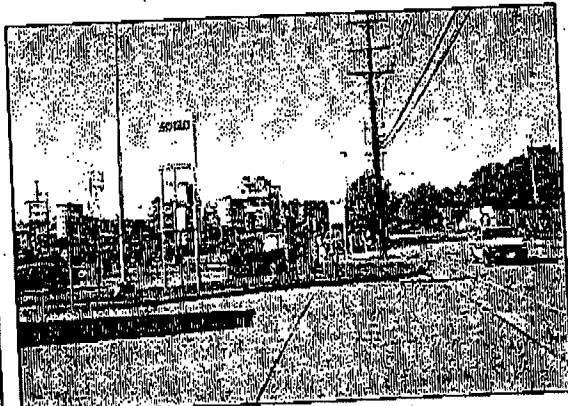
**Figure 1413-A: ML District**



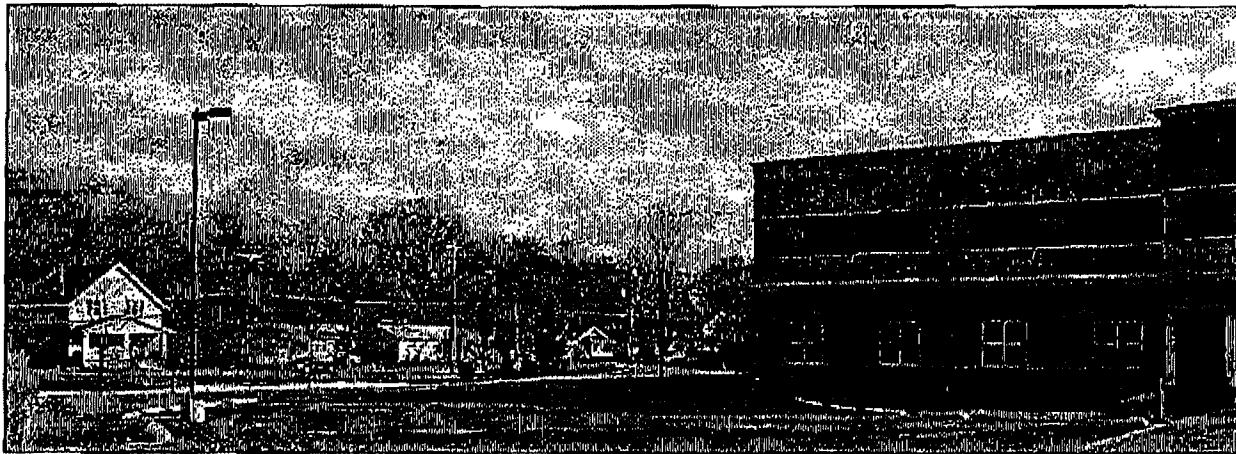
**Figure 1413-B: MG District**



**Figure 1413-C: MG District**



**Figure 1413-D: ME District**



**Figure 1413-E: ML District**

### **§ 1413-05. Land Use Regulations.**

Schedule 1413-05 below prescribes the land use regulations for M Manufacturing Districts. The regulations for each subdistrict are established by letter designations as follows:

- (a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1413-05.
- (c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Use classifications are defined in Chapter 1401: Definitions. Use classifications not listed in Schedule 1413-05 are prohibited.

#### **Schedule 1413-05: Use Regulations – Manufacturing Districts**

Use Classifications	ML	MG	ME	Additional Regulations
<b>Residential Uses</b>				
Child day care home	L9	--	--	
Group residential	L1	--	--	
Permanent residential				
Single-family dwelling	L1	--	--	
Attached single-family dwelling	L1	--	--	
Two-family dwelling	L1	--	--	
Multi-family dwelling	L1	--	--	
Residential care facilities				
Developmental disability dwelling	P	--	--	

Use Classifications	ML	MG	ME	Additional Regulations
Special assistance shelter	C	--	--	
Transitional housing				
Programs 1 - 4	P	P	--	
Programs 5, 6	--	P	--	
<b>Public and Semipublic Uses</b>				
Community service facilities	P	--	--	
Day care center	P	L3	--	
Government facilities and offices				
Correctional Institutions	--	C	--	
Facilities and installations	--	C	--	
Juvenile detention facilities	--	C	--	
Offices	P	P	--	
Park and recreation facilities	P	--	--	
Public maintenance facilities	P	P	--	
Public safety facilities	P	P	P	
Religious assembly	P	--	--	
Schools, public or private	P	--	--	
<b>Commercial Uses</b>				
Ambulance services	P	P	--	
Animal services	P	P	--	
Banks and financial institutions	P	P	--	
Building maintenance services	P	P	--	
Building materials sales and services	P	P	P	
Business services	P	P	--	
Eating and drinking establishments				
Drinking establishments	P	P	--	
Restaurants, full service	P	P	--	See § 1419-21
Restaurants, limited	P	P	--	See § 1419-21
Food markets	L5	L5	--	
Food preparation	P	P	--	
Garden supply stores and nurseries	P	--	--	
Laboratories, commercial	P	P	--	
Loft dwelling units	P	P	--	See § 1419-23
Maintenance and repair services	P	P	--	
Medical services and clinics	P	P	--	
Offices	P	P	P	
Parking facilities	P	P	C	See Chapter 1425
Personal instructional services	P	P	--	
Personal services	L5	L5	--	
Private vehicular storage lot	--	P	--	
Recreation and entertainment				
Indoor or small-scale	P	P	--	
Outdoor or large-scale	C	--	--	
Retail sales	L5	L5	--	
Sexually oriented business	--	P	--	See § 1419-25
Vehicle and equipment services				
Vehicle and equipment sales and rental	L2	L2	--	
Car wash	L3	P	--	See § 1419-11
Fuel sales	L3	P	--	See § 1419-15
Vehicle repair	--	P	--	See § 1419-27
Automobile holding facility	--	L4	--	

Use Classifications	ML	MG	ME	Additional Regulations
<b>Industrial Uses</b>				
Production industry				
Artisan	P	P	P	
General	--	P	P	
Intensive high-impact	--	C	C	See § 1419-19
Limited	P	P	P	
Research and development	P	P	--	
Warehousing and storage				
Contractor's storage	C	P	--	
Indoor storage	P	P	--	
Oil and gas storage	--	C	C	
Outdoor storage	--	C	C	
Metal waste salvage yard/junk yards	--	C	C	
Waste management				
Waste collection	P	P	P	See § 1419-31
Waste disposal	--	C	C	
Waste transfer	--	C	C	See § 1419-31
Wholesaling and distribution	P	P	P	
<b>Transportation, Communication and Utilities</b>				
Communications facilities	P	P	--	
Public utility distribution system	P	P	P	
Public utility maintenance yard	P	P	P	
Public utility plant	C	P	P	
Radio and television broadcast antenna	P	P	--	
Transportation facilities				
Airports	L6	--	--	
Heliports	L6	L6	L6	
Railroad train yards	L7	L7	L7	
Railroad right-of-way	P	P	P	
Transportation passenger terminals	P	P	P	
Truck terminal and warehouse	--	L7	L7	
Wireless communication antenna	L8	L8	L8	
Wireless communication tower	C	C	C	
<b>Agriculture and Extractive Uses</b>				
Mining and quarrying	--	C	C	
<b>Accessory Uses</b>				
Any accessory use not listed below	L10	L10	L10	See Chapter 1421
Refuse storage area	L12	L12	L12	See § 1421-35
Drive box	L11	L11	L11	
Commercial vehicle parking	P	P	P	
Exterior lighting	P	P	P	See § 1421-39
<b>Nonconforming Uses</b>				
<b>Specific Limitations</b>				
L1 New residential is permitted only when abutting an existing residential use or structure.	L2 Permitted on arterial street only. Vehicle loading and unloading must occur on-site.			

**Specific Limitations**

- L3 Permitted only as an accessory use to a use allowed in the district.
- L4 The facility must be completely enclosed on all sides with a six foot screen fence which is protected from damage by a guardrail or other barriers approved by the Director of Buildings and Inspections. Must be located at least 100 feet from a residential district.
- L5 Permitted only if occupying less than 5,000 sq. ft. in ML and 10,000 sq. ft. in MG.
- L6 Landing strip, pad, or apron may not be located within 500 ft. of a residential district boundary.
- L7 Not allowed within 250 ft. of a residential use in a Residential District.
- L8 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public or semi-public, public utility, a commercial or industrial building or structure.
- L9 Fencing a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L10 Accessory uses determined by the Director of Buildings and Inspections to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L11 The storage space is less than 30 cubic yards; enclosed by a screen fence or within a structure; and at least 100 feet from any property used for residential purposes.
- L12 Provisions of § 1421-35 apply when refuse storage area is within 100 feet of any property used for residential purposes.

**§ 1413-07. Development Regulations.**

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

**Schedule 1413-07: Development Regulations – Manufacturing Districts**

Regulations	ML	MG	ME	Additional Regulations
<b>Building Scale - Intensity of Use</b>				
Minimum Lot Area (sq. ft.)				
Residential Uses	4,000	--	--	
Non- residential Uses	0	0	0	
Land area for every dwelling unit	2,000	--	--	
<b>Building Form and Location</b>				
Maximum Building Height (ft.)	45	85	85	
Minimum Yard (ft.)				
Front Residential	20	0	0	
Front Non-Residential	20	0	0	



Regulations	ML	MG	ME	Additional Regulations
Side Residential (minimum/total)	3/12	0	0	
Side Non-Residential (minimum/total)	10/20	0	0	
Rear Residential	25	0	0	
Rear Non-Residential	10	0	0	
<b>Vehicle Accommodation - Driveways and Parking</b>				
Driveway Restrictions	Yes	Yes	Yes	See § 1413-09
Parking Lot Landscaping	Yes	Yes	Yes	See § 1425-31
Truck Docks; Loading and Service Areas	Yes	Yes	Yes	See § 1413-11
<b>Other Regulations</b>				
Buffering Along District Boundaries	Yes	Yes	Yes	See § 1423-13
Accessory Uses and Structures				See Chapter 1421
General Site Standards				See Chapter 1421
Landscaping and Buffer Yards				See Chapter 1423
Nonconforming Uses and Structures				See Chapter 1447
Off-Street Parking and Loading				See Chapter 1425
Signs				See Chapter 1427
Additional Development Regulations				See Chapter 1419

### **§ 1413-09. Driveway Restrictions.**

Site access must be from a local street or alley wherever practical, but not from a residential street where alternate access is available, as determined by the Department of Transportation and Engineering.

### **§ 1413-11. Truck Docks; Loading and Service Areas.**

Where a building is adjacent to a residential district, the location of these facilities must be the side away from the district boundary. Where truck docks, loading and service areas are adjacent to a residential district boundary a 100 foot setback is required from the district boundary line. In the ML Districts, these facilities must be located at the side of buildings or in the rear of the site and screened so as not to be visible from a public street other than an alley.

59

**NORWOOD ZONING CODE****CHAPTER 1147  
M-2 Heavy Manufacturing District**

1147.01	M-2 Heavy Manufacturing District.	1147.04	Conditional uses.
1147.02	Principal permitted uses.	1147.05	Off-street parking and loading.
1147.03	Accessory uses.	1147.06	Density and supplemental regulations.

**CROSS REFERENCES**

Height and yard limits - see P. &amp; Z. Ch. 1151

Rear yard requirements abutting residential districts - see P. &amp; Z. 1151.11

Accessory buildings - see P. &amp; Z. 1151.17

Parking - see P. &amp; Z. 1151.09, Ch. 1153

**1147.01 M-2 HEAVY MANUFACTURING DISTRICT.**

A Heavy Manufacturing District use classification is hereby created and is governed by this chapter. (Ord. 30-1985. Passed 6-25-85.)

**1147.02 PRINCIPAL PERMITTED USES.**

Principal permitted uses are as follows:

- (a) Any use permitted and as regulated in the M-1 District except as hereinafter modified and the following heavy manufacturing use, provided no part of a building occupied by such uses shall have any opening other than stationary windows or required fire exits within 100 feet of any residential district:
  - (1) Blacksmith, welding or other metal working shop, excluding punch presses over twenty tons rated capacity, drop hammers and other noise producing machine-operated tools; machine shops, cooperage works;
  - (2) Foundry casting lightweight nonferrous metals, or electric foundry not causing noxious fumes and odors;
  - (3) Bag, carpet and rug cleaning, provided necessary equipment is installed and operated for the effective precipitation or recovery of dust;
  - (4) Ice manufacturing and cold storage plant, creamery and bottling plant;
  - (5) Manufacturing of canvas, cellophane, textiles, yarn, cloth, fiber, glass, paper, plastics, sheet metal (except when presses over twenty ton rated capacity are employed) and wax and products which include bone, feathers, fur, hair, horn; leather, precious or semiprecious metals or stones, shell, tobacco and wood;
  - (6) Sand, gravel and cement processing; and
  - (7) Motor vehicle wrecking and repair.
- (b) When located not less than 200 feet from any R District:
  - (1) Inflammable liquids, underground storage only, not to exceed 25,000 gallons;

- (2) Building material sales yards including concrete mixing, lumber yards including millwork, open yards for storage, sale of feed and/or fuel and contractors' equipment storage; and
  - (3) Retail lumber yards, including incidental millwork, building material yards; storage and sales of grain, livestock, feed or fuel; provided such uses are conducted within an area completely enclosed on all sides with a solid wall or uniformly painted solid board fence not less than six feet high.
- (c) When located not less than 300 feet from any R District and not less than 100 feet from any other district:
- (1) Acetylene manufacturing in excess of fifteen pounds of pressure per square inch;
  - (2) Acid manufacture;
  - (3) Automobile manufacturing and assembly;
  - (4) Bleaching, cleaning and dyeing plant of large scale production;
  - (5) Boiler shops, machine shops, structural steel fabricating shops, railway car or locomotive shops, including repair, metal working shops employing and reciprocating hammers or presses over twenty tons rated capacity;
  - (6) Candle or sperm oil manufacturing;
  - (7) Coal yards;
  - (8) Dextrine, starch or glucose manufacturing;
  - (9) Disinfectant, insecticide or poison manufacturing;
  - (10) Dye and dyestuff manufacture;
  - (11) Enameling, lacquering or japanning;
  - (12) Emery cloth or sandpaper manufacturing;
  - (13) Extractive manufacturing;
  - (14) Felt manufacturing;
  - (15) Flour or grain mill;
  - (16) Forge or foundry works;
  - (17) Gas generation or storage for illumination or heating;
  - (18) Grain drying or poultry feed manufacturing from refuse, mash or grain;
  - (19) Hair or hair products manufacturing;
  - (20) Junk yards provided that they be enclosed by a solid board fence or wall not less than six feet high;
  - (21) Lime or lime products manufacturing;
  - (22) Linoleum, oil cloth or oiled goods manufacturing;
  - (23) Match manufacturing;
  - (24) Meat packing; but not stockyards or slaughterhouses, specified as a conditional use in Section 1147.04;
  - (25) Oil, paint, shellac, turpentine, varnish or enamel production;
  - (26) Paper and pulp manufacturing;
  - (27) Perfume manufacturing;
  - (28) Pickle, sauerkraut or sausage manufacturing;
  - (29) Plaster manufacturing;
  - (30) Poultry slaughterhouses, including packing and storage for wholesale;
  - (31) Printing ink manufacturing;
  - (32) Sand, gravel and cement processing;
  - (33) Sandblasting or cutting;
  - (34) Sawmills, the manufacture of excelsior, wood fiber or sawdust products;
  - (35) Sewage disposal plants;
  - (36) Shoddy manufacturing;
  - (37) Shoe blacking or polish or stove polish manufacturing;

- (38) Soap manufacturing;
  - (39) Steam power plants, except where accessory to a permitted principal use;
  - (40) Stone and monument works employing power drive tools;
  - (41) Storage, drying, cleaning of iron, junk, rags, glass, cloth, paper or clipping, including sorting, refining, baling, woolpulling and scouring;
  - (42) Sugar refining;
  - (43) Tar or asphalt roofing or water-proofing manufacturing;
  - (44) Truck and motor freight terminals and hauling services;
  - (45) Vinegar manufacturing;
  - (46) Wire or rod drawing; nut, screw or bolt manufacturing; and
  - (47) Yeast manufacturing.
- (Ord. 30-1985. Passed 6-25-85.)

#### 1147.03 ACCESSORY USES.

Accessory uses include accessory uses and structures customarily accessory and incidental to a permitted use. (Ord. 30-1985. Passed 6-25-85.)

#### 1147.04 CONDITIONAL USES.

The following conditional uses shall be permitted only if expressly authorized by the Board of Zoning Appeals:

- (a) Any heavy manufacturing use that is determined by the Board to be of the same general character as the above permitted uses and is so regulated.
- (b) When located not less than 500 feet from any R District, and not less than 200 feet from any other district and subject to such conditions and requirements as may, in the opinion of the Board of Zoning Appeals, be necessary to protect adjacent property and prevent conditions which may become noxious or offensive:
  - (1) Ammonia, chlorine or bleaching powder manufacturing;
  - (2) Animal black, lamp black, bone black or graphite manufacturing;
  - (3) Celluloid or pyroxyline manufacturing, or explosive or inflammable cellulose or pyroxyline products manufacturing or storage;
  - (4) Cement, lime gypsum or plaster of Paris manufacturing;
  - (5) Crematories;
  - (6) Creosote manufacturing or treatment;
  - (7) Distillation of coal, petroleum, refuse, grain, wood or bones, except in the manufacture of gas;
  - (8) Explosive manufacturing or storage, except for small arms ammunition;
  - (9) Fertilizer or compost manufacturing or storage;
  - (10) Fish curing, smoking or packing, fish oil manufacturing or refining;
  - (11) Garbage, offal, dead animals, refuse and rancid fats incineration, reduction or storage;
  - (12) Glue manufacturing, size or gelatin manufacturing where the processes include the refining or recovery of products from fish, animal refuse or offal;
  - (13) Livestock feeding yards;
  - (14) Petroleum or inflammable liquids production, refining, and storage above ground;
  - (15) Rubber, caoutchouc or gutta percha manufacturing and treatment from crude or scrap material or the manufacture of balata;
  - (16) Slaughtering of animals or stockyards;
  - (17) Smelting of ferrous or nonferrous ores;
  - (18) Storage, curing or tanning of raw, green or salted hides or skins;

1147.05

PLANNING AND ZONING CODE

62

- (19) Sulphurous, sulphuric, nitric, picric, carbolic or hydrochloric or other corrosive acid manufacturing; and
- (20) Any other use which, in the opinion of the Board, is of a similar character as those specified above. (Ord. 30-1985. Passed 6-25-85.)
- (c) (EDITOR'S NOTE: This subsection was repealed by Ordinance 15-1992, passed April 28, 1992.)

**1147.05 OFF-STREET PARKING AND LOADING.**

Off-street parking and loading is specified in Chapter 1153.

(Ord. 30-1985. Passed 6-25-85.)

**1147.06 DENSITY AND SUPPLEMENTAL REGULATIONS.**

Density and supplemental regulations are specified in Chapter 1151.

(Ord. 30-1985. Passed 6-25-85.)

**CHAPTER 1145**  
**M-1 Light Manufacturing District**

<b>1145.01</b>	<b>M-1 Light Manufacturing District.</b>	<b>1145.04</b>	<b>Conditional uses.</b>
<b>1145.02</b>	<b>Principal permitted uses.</b>	<b>1145.05</b>	<b>Off-street parking and loading.</b>
<b>1145.03</b>	<b>Accessory uses.</b>	<b>1145.06</b>	<b>Density and supplemental regulations.</b>

**CROSS REFERENCES**

Height and yard limits - see P. & Z. Ch. 1151  
 Rear yard requirements abutting residential districts - see P. & Z. 1151.11  
 Accessory buildings - see P. & Z. 1151.17  
 Parking - see P. & Z. 1151.09, Ch. 1153

**1145.01 M-1 LIGHT MANUFACTURING DISTRICT.**

A Light Manufacturing District use classification is hereby created and is governed by this chapter. (Ord. 30-1985. Passed 6-25-85.)

**1145.02 PRINCIPAL PERMITTED USES.**

Principal permitted uses are as follows:

- (a) Principal permitted and conditional uses as provided in the O Office District except for uses permitted in Section 1137.02(a), and principal permitted and conditional uses as provided in the GBD General Business District, provided however that no residences are permitted;
- (b) Printing, publishing, binding and typesetting plants;
- (c) Warehouses and distribution firms;
- (d) Wholesale business;
- (e) The manufacture, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as, but not limited to, bone, canvas, cellophane, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stamping such as automobile fenders or bodies) shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills and yarns);
- (f) Maintenance and storage facilities, warehouses for the storage of merchandise and materials, trucking or motor freight stations or terminals and carting, expressing or hauling establishments providing such uses are conducted wholly within a completely enclosed building or buildings except for storage vehicles, and further provided that no part of such building or buildings shall have an opening other than stationary or required fire exits within seventy feet of any R District;
- (g) Medical, dental and optical manufacturing;

- (h) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas;
- (i) The manufacture and repair of electric and neon signs; and
- (j) Light sheet metal products including heating and ventilating equipment, cornices or eaves. (Ord. 30-1985. Passed 6-25-85.)

**1145.03 ACCESSORY USES.**

Accessory uses include accessory buildings and uses incidental to the principal use.  
(Ord. 30-1985. Passed 6-25-85.)

**1145.04 CONDITIONAL USES.**

Any light manufacturing use that is determined by the Board of Zoning Appeals to be of the same general character as the above permitted uses shall be considered a conditional use.  
(Ord. 15-1992. Passed 4-28-92.)

**1145.05 OFF-STREET PARKING AND LOADING.**

Off-street parking and loading is specified in Chapter 1153.  
(Ord. 30- 1985. Passed 6-25-85.)

**1145.06 DENSITY AND SUPPLEMENTAL REGULATIONS.**

Density and supplemental regulations are specified in Chapter 1151.  
(Ord. 30-1985. Passed 6-25-85.)

# **CHAPTER 1137** **O Office District**

<b>1137.01</b>	<b>O Office District.</b>	<b>1137.05</b>	<b>Off-street parking and loading.</b>
<b>1137.02</b>	<b>Principal permitted uses.</b>	<b>1137.06</b>	<b>Density and supplemental regulations.</b>
<b>1137.03</b>	<b>Accessory uses.</b>		
<b>1137.04</b>	<b>Conditional uses.</b>		

## **CROSS REFERENCES**

Height and yard limits - see P. & Z. Ch. 1151  
 Rear yard requirements abutting residential districts - see P. & Z. 1151.11  
 Accessory buildings - see P. & Z. 1151.18  
 Parking- see P. & Z. 1151.09, Ch. 1153

### **1137.01 O OFFICE DISTRICT.**

An O Office District use classification is hereby created and is governed by this chapter.  
 (Ord. 30-1985. Passed 6-25-85.)

### **1137.02 PRINCIPAL PERMITTED USES.**

Principal permitted uses are as follows:

- (a) All principal uses permitted and regulated in Section 1135.02(b), (c), (d) and (e) except as hereinafter specified;
- (b) Offices;
- (c) Schools and colleges;
- (d) Clinics and laboratories;
- (e) Telephone exchanges, radio and television studios; and
- (f) Computer and data processing centers.

(Ord. 30-1985. Passed 6-25-85.)

### **1137.03 ACCESSORY USES.**

Accessory uses include all accessory uses permitted and regulated in the R-3 Residence District except as hereinafter specified:

- (a) Parking lots and garages; and
- (b) Sales office for the display of merchandise and the acceptance of orders.

(Ord. 30-1985. Passed 6-25-85.)

### **1137.04 CONDITIONAL USES.**

Conditional uses are as follows:

- (a) All conditional uses permitted and regulated in the R-3 District; and
- (b) Restaurants, excluding drive-in restaurants, and provided that such use not occupy more than thirty-three percent (33%) of the total floor area of the building in which it is located. (Ord. 30-1985. Passed 6-25-85.)



**CHAPTER 1139**  
**NBD Neighborhood Business District**

<b>1139.01</b>	<b>Neighborhood Business District (NBD).</b>	<b>1139.04</b>	<b>Conditional uses.</b>
<b>1139.02</b>	<b>Principal permitted uses.</b>	<b>1139.05</b>	<b>Off-street parking and loading.</b>
<b>1139.03</b>	<b>Accessory uses.</b>	<b>1139.06</b>	<b>Density and supplemental regulations.</b>

**CROSS REFERENCES**

Height and yard limits - see P. & Z. Ch. 1151

Rear yard requirements abutting residential districts - see P. & Z. 1151.11

Accessory buildings - see P. & Z. 1151.18

Parking- see P. & Z. 1151.09, Ch. 1153

---

**1139.01 NEIGHBORHOOD BUSINESS DISTRICT (NBD).**

A Neighborhood Business District use classification is hereby created and is governed by this chapter. (Ord. 30-1985. Passed 6-25-85.)

**1139.02 PRINCIPAL PERMITTED USES.**

Principal permitted uses are as follows:

- (a) All principal uses permitted and regulated in Section 1135.02(b), (c), (d) and (e) except as hereinafter specified;
- (b) Convenience business;
- (c) Personal services;
- (d) Churches, Sunday schools and parish houses;
- (e) Offices;
- (f) Schools and colleges; and
- (g) Clinics and medical laboratories.

(Ord. 30-1985. Passed 6-25-85.)

**1139.03 ACCESSORY USES.**

Accessory uses include all accessory uses permitted and regulated in the R-3 District. (Ord. 30-1985. Passed 6-25-85.)

**1139.04 CONDITIONAL USES.**

Conditional uses are as follows:

- (a) All conditional uses permitted and regulated in the O Office District; and
- (b) Animal hospitals or clinics. (Ord. 30-1985. Passed 6-25-85.)

**1139.05 OFF-STREET PARKING AND LOADING.**

Off-street parking and loading is specified in Chapter 1153. (Ord. 30-1985. Passed 6-25-85.)

### CHAPTER 1141 CBD Central Business District

1141.01	Central Business District (CBD).	1141.05	Off-street parking and loading.
1141.02	Principal permitted uses.	1141.06	Density and supplemental regulations.
1141.03	Accessory uses.		
1141.04	Conditional uses.		

#### CROSS REFERENCES

Height and yard limits - see P. & Z. Ch. 1151  
 Rear yard requirements abutting residential districts - see P. & Z. 1151.11  
 Accessory buildings - see P. & Z. 1151.17  
 Parking - see P. & Z. 1151.09, Ch. 1153

#### **1141.01 CENTRAL BUSINESS DISTRICT (CBD).**

A Central Business District use classification is hereby created and is governed by this chapter. (Ord. 30-1985. Passed 6-25-85.)

#### **1141.02 PRINCIPAL PERMITTED USES.**

Principal permitted uses are as follows:

- (a) All principal uses permitted and regulated in the O Office and Neighborhood Business District except uses permitted in Sections 1137.02(a) and 1139.02(a);
- (b) Retail businesses;
- (c) Hotels and motels;
- (d) Parking lots and parking garages;
- (e) Restaurants having a minimum of 5,000 square feet of dining with a minimum seating capacity of 200 persons and excluding drive-in restaurants;
- (f) Civic centers, stadiums and exhibition halls;
- (g) Commercial entertainment establishments;
- (h) Multi-family dwelling units provided that such use is part of a mixed use development involving at least one other use permitted in this district and provided that the residential uses do not occupy more than fifty percent (50%) of the total floor area of the building. It is further required that the floor located on street level of the building be devoted to either a commercial or an office use; and
- (i) Public service facilities and municipal office buildings.  
(Ord. 30-1985. Passed 6-25-85.)

#### **1141.03 ACCESSORY USES.**

Accessory uses include sidewalk cafes, when accessory to any permitted restaurant.  
(Ord. 30-1985. Passed 6-25-85.)

**CHAPTER 1143**  
**GBD General Business District**

1143.01	General Business District (GBD).	1143.04	Conditional uses.
1143.02	Principal permitted uses.	1143.05	Off-street parking and loading.
1143.03	Accessory uses.	1143.06	Density and supplemental regulations.

**CROSS REFERENCES**

Height and yard limits - see P. & Z. Ch. 1151

Rear yard requirements abutting residential districts - see P. & Z. 1151.11

Accessory buildings - see P. & Z. 1151.17

Parking- see P. & Z. 1151.09, Ch. 1153

---

**1143. 01 GENERAL BUSINESS DISTRICT (GBD).**

A General Business District use classification is hereby created and is governed by this chapter. (Ord. 30-1985. Passed 6-25-85.)

**1143.02 PRINCIPAL PERMITTED USES.**

Principal permitted uses are as follows:

- (a) All principal permitted uses as provided in the Central Business District (CBD) except as hereinafter provided and provided that no dwelling units are permitted;
- (b) General business;
- (c) Automotive service and minor repair, provided that buildings shall be at least fifty feet away from any R District and further provided that no entrance or exit shall be within 200 feet along the same side of a street of any school, public playground, church, hospital, public library or institution for dependents or children except where the lot for such use is in another block or on another street which the lot in question does not abut. No oil draining pit or visible appliance for such purpose other than filling taps shall be located within ten feet of any street lines or within twenty-five feet of any R District except where such appliance or pit is within an enclosed building;
- (d) Animal hospitals or animal clinics, kennels, general display and housing or boarding of pets and other domestic animals provided that any enclosure or building in which the animals are kept shall be at least 100 feet from any R District and at least fifty feet from any other business district. Exercise runs shall be enclosed on four sides by an unpierced, well maintained fence or wall not less than six feet in height:

- (e) Restaurants including drive-in restaurants;
- (f) Carpentry shops, electrical, plumbing, paint shops, paperhanging shops, furniture upholstering and similar enterprises including contractors' yards but not within fifty feet of any R District;
- (g) Bottling of soft drinks or milk distribution stations provided that a building used for such processing and/or distribution shall be at least 100 feet from any R District;
- (h) Experimental film or test laboratories provided no operation will be conducted or equipment used which would create hazardous, noxious or offensive conditions;
- (i) The compounding, processing and packaging of bakery goods and candy;
- (j) Hotels and motels, provided that no vehicular entrance to or exit from any motel or motor hotel wherever such may be located may be within 200 feet along streets from any school, public playground, hospital, library or institution for dependents, or for children except where such property is on another block or on another street which the premises in question do not abut; and
- (k) Plant materials nursery. (Ord. 30-1985. Passed 6-25-85.)

#### 1143.03 ACCESSORY USES.

Accessory uses include accessory buildings incidental to the principal use.

(Ord. 30-1985. Passed 6-25-85.)

#### 1143.04 CONDITIONAL USES.

Conditional uses are as follows:

- (a) Churches, Sunday schools and parish houses.
- (b) Bars, grills and cocktail lounges provided that no such use shall be located closer than fifty feet from a residential use or district.
- (c) Except when within fifty feet of any R District, (subject to the provisions of subsection (d) hereof) the manufacturing, compounding, compressing, packaging, rendering, refining, and assembling of products including the following:
  - (1) Cosmetics, pharmaceuticals, toiletries and food products except fish and meat products, sauerkraut, vinegar, yeast, fats or oils or any other products which could create hazardous, noxious or offensive conditions.
  - (2) Pottery or figurines using previously pulverized clay and kilns fired only with gas or electricity.
  - (3) Musical instruments, toys, novelties, rubber or metal stamps or other small rubber products.
  - (4) Electrical and electric appliances, instruments and devices, television sets, radios and phonographs.
  - (5) Electric and neon signs, billboards and other commercial advertising structures, light sheet metal products including heating and ventilating equipment, cornices and eaves.
- (d) Any other use which is determined by the Board of Zoning Appeals to be of the same general character as the uses permitted in this section, but not including any use which is first permitted in the M-1 District or which is prohibited in the M-1 District. The restriction against manufacturing within fifty feet of any R District (set out in this section) may be reduced to thirty feet in any instance where the owner of the property located in the GBD District provides a suitable and sufficient screening of trees and/or shrubbery on his property line adjoining such R District. (Ord. 30-1985. Passed 6-25-85.)